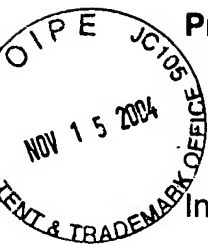


1661 JFW



Practitioner's Docket No. 099505-051061

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Anthony Jabar, Jr. et al.

Application No.: 10/056,803                      Group No.: 1661  
Filed: January 24, 2002                      Examiner: Anne Marie Grunberg  
For: METHOD OF INCREASING CROP YIELD

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

\*\*\*\*\*

CERTIFICATE OF MAILING

I hereby certify that this correspondence is, on the date shown below, being: deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

Date: November 12, 2004

*Kimberly A. Coyne*  
Kimberly A. Coyne

\*\*\*\*\*

Sir:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

In accordance with the provisions of 37 C.F.R. §§1.56 and 1.97, Applicants herewith submit the publications and/or patents shown on the attached form PTO/SB/08a, for consideration by the Examiner in connection with the examination of the above-identified patent application.

I. REMARKS

In accordance with the provisions of 37 C.F.R. §1.97, this statement is being filed:

- (1) within three (3) months of the Filing Date or **before the mailing date of the First Office Action** on the merits; or
- X (2) within three months of the mailing date of the PCT International Search Report; or

- (3) after the period defined in (1) but before the mailing date of a **Final Rejection** or **Notice of Allowance**, and the requisite Certification or fee under Rule 1.17(p), namely **\$180.00**, is included herein; or
- (4) after the mailing date of a **Final Rejection** or **Notice of Allowance** but before the payment of the **Issue Fee**, and the requisite Certification, petition, and petition fee are included herein.

It is respectfully requested that each of the documents shown on the attached form(s) PTO/SB/08a be made of record in this application. Copies of these documents (CHECK ONE):

- X   are enclosed herewith; and
- have been cited in the parent application, and are thus not being resubmitted herein.

Early examination and allowance of the present application are respectfully solicited.

#### **FEE AUTHORIZATION**

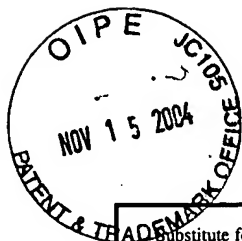
Should any fees associated with the submission be required, the Commissioner is authorized to charge the missing fee to our Deposit Account No. 50-0850. Any overpayments should be credited to said Deposit Account.

Respectfully submitted,



David S. Resnick (Reg. 34,235)  
NIXON PEABODY LLP  
100 Summer Street  
Boston, MA 02110  
(617) 345-6057

Date: November 12, 2004



Substitute for form 1449A/PTO				<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(use as many sheets as necessary)</i>				Application Number	10/056,803
				I.A. Filing Date	January 24, 2002
				First Named Inventor	Anthony Jabar, Jr.
				Art Unit	1661
				Examiner Name	Anne Marie Grunberg
Sheet	1	of	1	Attorney Docket Number	099505-051061

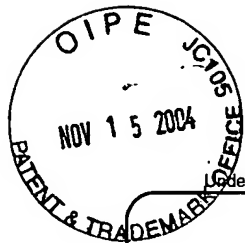
U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code <sup>2</sup> (if known)			
	A1	US-5,801,116	09-01-1998	Cottrell et al.	
	A2	US-6,293,045 B1	09-25-2001	Morgan	
	A3	US-6,199,318 B1	03-13-2001	Stewart et al.	
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at 222.uspto.gov or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.



PTO/SB/21 (04-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/056,803	
	Filing Date	January 24, 2002	
	First Named Inventor	Anthony Jabar, Jr.	
	Art Unit	1661	
	Examiner Name	Anne Marie Grunberg	
Total Number of Pages in This Submission	1	Attorney Docket Number	099505-051061

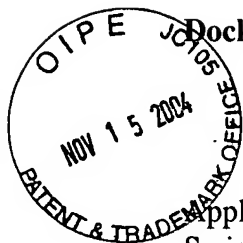
ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to Technology Center (TC)
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Cert. of Mailing/Transmission; IDS/Form 1449;
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	Copy of Refs A1-A3 & Copy of Intl. Search Report and Return Receipt Post Card.
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	The Commissioner is authorized to charge fee deficiencies or credit overpayments associated with this submission to the NIXON PEABODY LLP Deposit Account No. 50-0850.	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Nixon Peabody LLP, 100 Summer Street, Boston, MA 02100-2131
Signature	David S. Resnick (Reg. No. 34,235)
Date	11/12/04

CERTIFICATE OF TRANSMISSION/MAILING	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.	
Typed or printed name	Kimberly A. Coyne
Signature	Kimberly A. Coyne
Date	November 12, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



Docket No. 099505-051061

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Jabar, et al.	Examiner:	Grunberg, Anne Marie
Serial No.:	10/056,803	Group:	1661
Filed:	January 24, 2002		
For:	METHOD OF INCREASING CROP YIELD		

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)

I hereby certify that the attached correspondence comprising:

1. Certificate of Mailing/Transmission (1 pg.);
2. Supplemental Information Disclosure Statement and Form 1449 (3 pp.);
3. Transmittal Form (1 pg);
4. Copy of References A1-A3;
5. Copy of International Search report (3 pg.); and
6. Return Receipt Postcard.

is being deposited with the United States Postal Service, with sufficient postage, as first class mail in an envelope addressed to:

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

on November 12, 2004.

Kimberly A. Coyne

Signature of person mailing paper